IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO : 5130 of 2005

Between:

Shaik Abdul Sattar, S/o.Shaik Ahmed,
R/o.Pedda Majid, Vinukonda Mandal, Guntur District.

..... PETITIONER

AND

1 Office of the Sub Registrar, Rep. by its Sub Registrar,
Vinukonda, Guntur District.
2 Office of the District Registrar, Rep. by its District Registrar, Guntur

Guntur District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more in the nature of writ of Mandamus directing the Respondent No.1 and Respondent No. 2 to register the sales of the lands covered under Survey No.493 and its by Nos. situated at Vinukonda, Guntur District (more fully described in the schedule enclosed to the Writ Petition), and grant such other relief or reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.G.ANJAPPA

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

The grievance of the petitioner is about the respondents not receiving the sale deeds executed by him in respect of the land in Survey No.493 of Vinukonda, Guntur District, on the ground that they have oral instructions not to receive the documents executed in respect of that S.No.493 of Vinukonda.

Respondents, who are bound to act as per the provisions of the Registration Act, cannot, on oral instructions, refuse to receive any documents presented to them for registration. They are bound to receive the documents, when presented for registration, and check them to find out if there are any defects warranting their refusal for registration. If the document presented for registration is defective they have to pass an order giving reasons for their refusal to register it. Until a property is notified under Section 22A of the Registration Act, documents pertaining such

property cannot be refused to be registered. Even when there is such a notification, the registering officer is bound to receive the document and pass an order stating the reasons for refusing to register it. But they cannot refuse to receive documents for registration on oral instructions from their superior officers.

Therefore, the writ petition is disposed of with a direction to the respondents to receive the documents presented to them either by the petitioner or by his vendees, for registration, and deal with those documents as per the provisions of the Registration Act. No costs.

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(C.Y.SOMAYAJULU, J)

Dated: 22nd March, 2005.

Note: Issue C.C in three days.

B/o.

vs

To

1 The Sub Registrar, Office of the Sub Registrar,
Vinukonda, Guntur District.
2 The District Registrar, Office of the District Registrar, Guntur

Guntur District.

3 Two CCs to the G.P for Revenue, High Court of A.P.,

Hyderabad(O.U.T).

4 2 CD copies